



IFW

PATENT
Customer No. 22,852
Attorney Docket No. 5725.0362-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Isabelle BARA et al.) Group Art Unit: 1617
)
Application No.: 10/798,434) Examiner: Not yet assigned
)
Filed: March 12, 2004)
)
For: W/O EMULSION, COMPOSITION) Confirmation No.: 5266
)
COMPRISING SUCH AN)
EMULSION AND COSMETIC,
PHARMACEUTICAL OR HYGIENE
USE THEREOF

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Office the documents listed on the attached PTO 1449 Form. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached, excluding U.S. Patent No. 5,929,163.

Applicants respectfully request that the Office consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **JP 5311076** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. This application is believed to be related to EP 0 568 102 A1, which is submitted herewith, and U.S. Patent No. 5,929,163, both of which are listed on the attached PTO Form 1449.

2. **JP 7041415** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

3. **JP 7187954** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

4. **JP 7215817** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

5. **JP 7304627** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

6. **JP 9241117** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Office applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law,

Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

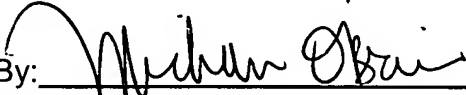
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 24, 2004

By: 
Michelle E. O'Brien
Reg. No. 46,203



INFORMATION DISCLOSURE CITATION

| | |
|--------------------------------|-----------------------|
| Atty. Docket No. 0362-01 | Appln. No. 10/798,434 |
| Applicant Isabelle BARA et al. | |
| Filing Date March 12, 2004 | Group: 1617 |

U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------|-----------|-------|-----------|----------------------------|
| | 5,929,163 | 7/27/99 | Harashima | | | |

FOREIGN PATENT DOCUMENTS

| | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|--|-----------------|------------------|---------|-------|-----------|-----------------------|
| | EP 0 568 102 B1 | 11/03/93 | Europe | | | English |
| | JP 5311076 | 11/22/93 | Japan | | | Derwent Abstract |
| | JP 7041415 | 02/10/95 | Japan | | | Derwent Abstract |
| | JP 7187954 | 07/25/95 | Japan | | | Derwent Abstract |
| | JP 7215817 | 08/15/95 | Japan | | | Derwent Abstract |
| | JP 7304627 | 11/21/95 | Japan | | | Derwent Abstract |
| | JP 9241117 | 09/16/97 | Japan | | | Derwent Abstract |
| | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | English language Derwent Abstract of JP 5311076. |
| | English language Derwent Abstract of JP 7041415. |
| | English language Derwent Abstract of JP 7187954. |
| | English language Derwent Abstract of JP 7215817. |
| | English language Derwent Abstract of JP 7304627. |
| | English language Derwent Abstract of JP 9241117. |
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| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |